

**CHAPTER 13**  
**JOINT ACTION EMERGENCY MANAGEMENT**

**1-13-1: POLICY AND PURPOSE**

A. To insure that the County of Green will be prepared to cope with emergencies resulting from enemy action and with emergencies resulting from man-made and natural disasters, an Emergency Management Organization is created to carry out the purposes set out in Chapter 166, Wisconsin Statutes.

B. Definitions: As used in this Chapter:

Emergency Management	All measures undertaken by or on behalf of the State and its subdivisions:
----------------------	--

1. To prepare for and minimize the effect of enemy action and natural or man-made disaster upon the civilian population.
2. To effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such action or disaster.

Enemy Action	Hostile action by a foreign power which threatens the security of this State or any portion thereof. (R2-8-72; amd. Ord. 88-0810, 8-9-88)
--------------	---

**1-13-2: COUNTY EMERGENCY MANAGEMENT COMMITTEE**

A. How Constituted: The Chairperson of the Green County Board of Supervisors shall appoint a Committee of the Board of Supervisors, pursuant to Section 1-7-12 of the Green County Code, the same to be designated as the Green County Emergency Management Committee, said Committee may be designated additional duties, such as veterans service. When acting as the Green County Emergency Management Committee, the Chairperson of the Green County Board of Supervisors shall be the Chairperson of said Committee.

B. Duties of Committee: The County Emergency Management Committee shall be an advisory and planning group and shall advise the County Emergency Management Director and the County Board of Supervisors on all matters pertaining to emergency management. It shall meet upon call of the Chairperson of the Committee or the Green County Emergency Management Director. (Ord. 84-1010, 10-9-84; amd. Ord. 88-0810, 8-9-88)

**1-13-3: COUNTY EMERGENCY MANAGEMENT DIRECTOR**

A. Joint Director: There is hereby created the office of County-Municipal EM Director. The County Emergency Management Director shall also hold the office of Emergency Management Director of such municipalities of Green County as may hereafter enact an ordinance parallel to these provisions. In addition to his/her duties as County Emergency Management Director, he/she shall have the additional duties and responsibilities of a Municipal Emergency Management Director as provided for in Chapter 166 of the Wisconsin Statutes. (R2-8-72; amd. Ord. 84-1010, 10-9-84, Ord. 88-0810, 8 9-88)

- B. Salary, Term, Appointment and Statutory Provisions:
1. Salary: The salary of the Director and members of his/her staff shall be as determined by the County Board.
  2. Term: The term of the Green County Emergency Management Director shall be at the pleasure of the County Board.
  3. Appointment: The Emergency Management Director shall be appointed by the Emergency Management Committee subject to approval by the County Board.
  4. Statutory Provisions: The provisions of §166.03(8), Wis. Stats., relating to personnel, shall apply to the selection of the Director and his/her staff.
- C. Status: The County Emergency Management Director shall be considered to be an employee of the County not under civil service and shall be entitled to all of the rights, privileges and benefits that County employees have. He/she shall report to the County Emergency Management Committee.
- D. Municipal Deputy Emergency Management Director:
1. Each municipality passing a joint action ordinance with the County may appoint a Deputy Emergency Management Director.
  2. The Municipal Deputy Emergency Management Director will operate under the administrative direction of the County Emergency Management Director.
  3. Remuneration, if any, for the Deputy Municipal Emergency Management Director will be determined and paid by the governing body of that municipality.

**1-13-4: SHARING OF COSTS**

- A. Office and Staff: The Green County Board shall provide offices, office furniture, stenographic help and such office supplies as may be necessary to carry out the functions of the County Emergency Management Director.
- B. Major Equipment and Services: Costs of equipment and services shall be borne one hundred percent (100%) by the municipal government requiring such procurement with Federal matching funds procured by the County-Municipal Director when applicable. Federal matching fund reimbursements shall be returned to the treasurer of the municipality procuring the equipment or services.

**1-13-5: JOINT ACTION MEETINGS**

When it is deemed necessary by either the County Emergency Management Committee, or the Emergency Management Committee of a municipality participating in joint action, there shall be a joint meeting of the Committees to decide such matters as may arise.

**1-13-6: DUTIES OF DIRECTOR**

- A. County-Wide Duties: The County Emergency Management Director, in his/her capacity as County Director, subject to the control and direction of the County Emergency Management Committee, and under the general supervision of the County Board shall:
1. Develop and promulgate emergency government plans for the County, including planning for the joint action municipalities, consistent with the State plan for emergency management.
  2. Coordinate and assist in the development of non-joint action municipal emergency management plans within the County, and integrate such plans with the County plan;
  3. Direct the County and joint action municipality emergency management programs;
  4. Direct County-wide emergency management training programs and exercises;
  5. Advise the State Administrator of Emergency Response Management of all emergency management planning for the County and render such reports as may be required by the Administrator,
  6. In case of a state emergency proclaimed by the Governor, direct the County and joint action municipalities in emergency management activities and coordinate the non-joint action municipal emergency management activities within the County, subject to the coordinating authority of the State Administrator; and
  7. Perform such other duties relating to emergency management as may be required by the County Board.
- B. Municipal Duties: The Director in his/her capacity as director for a municipality participating in joint action shall:
1. Direct the municipal emergency management organization;
  2. Develop, promulgate and integrate into the County plan, emergency management plans for the operating services of the municipality;
  3. Direct participation of the municipality in such emergency management training programs and exercises as may be required on the County level or by the State Administrator;
  4. Direct the municipal emergency management training programs and exercises;
  5. Perform all administrative duties necessary for the rendering of reports and procurement of Federal matching funds for each municipality requesting Federal matching funds;
  6. In case of a state of emergency proclaimed by the Governor, direct the activities of the municipal emergency management organization;

7. Perform such other duties relating to emergency management as may be required by the municipal governing body.

**1-13-7: UTILIZATION OF EXISTING SERVICES AND FACILITIES**

- A. Policy: In preparing and executing the emergency management program, the services, equipment, supplies and facilities of the existing departments and agencies of the County shall be utilized to the maximum extent practicable; and the officer and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities as are required of them.
- B. Joint Action: Municipalities entering into joint action with Green County will provide for utilization of existing services of municipal government by enactment of an ordinance parallel to this Section of this Chapter.

**1-13-8: OTHER EMERGENCIES**

- A. Joint Action Municipalities: In the event the Governor determines that an emergency exists growing out of natural or man-made disasters, the County Emergency Management Director will activate and direct the emergency management services at the appropriate level of government affected by the emergency.
- B. Non-joint Action Municipalities: In the event of a natural or man-made disaster, the County Director will coordinate the municipalities affected and render such assistance as is required and available from County resources. (2-8-72; amd. Ord. 810, 8-9-88)

**1-13-9: DEBRIS REMOVAL ON PRIVATE PROPERTY**

- A. Any provisions of this Code or other County ordinances or enactments which provide that the use of County government equipment on private property is prohibited, are hereby amended under the provisions of U.S. Public Law 93-288, to permit debris removal when such action is invoked by presidential declaration. In most cases, this Section shall not and is not intended to authorize compensation for debris removal from private property by private individuals except where such removal and compensation are specifically ordered by the County Director and approved by the County Emergency Management Committee. Whenever possible, debris removal from private property will be accomplished by use of local or County-owned equipment, provided that the property owner or other persons in possession of the property shall sign a certificate of release holding local, County, State, and Federal governments free of liability.
- B. Responsibility: The Green County Emergency Management Director shall:
  1. Execute, on behalf of Green County, any application for purposes of obtaining certain Federal assistance under PL 93-288, and to file the application in the appropriate State office.
  2. Coordinate, or designate one or more persons to coordinate, debris removal from private property in Green County.
  3. Establish liaison and coordinate with the County Agricultural Stabilization and Conservation Committee, which shall have responsibility for debris removal on private property for all designated predominantly rural areas.

C. Responsibility: The Green County Highway Commissioner shall:

1. Have responsibility for non-rural areas with authority to delegate control to departments of public works, engineering or street departments in municipalities of the County.
2. Initiate necessary steps to insure that responsible departments of public works, engineering or street departments in all municipalities within the County are aware of debris removal responsibilities under U.S. PL 93-288.
3. Maintain inventories of engineering equipment of municipalities within the County.
4. Establish liaison with private contractors for possible utilization of their engineering equipment under the provisions of U.S. PL 93-288.
5. Be authorized to employ short-term emergency manpower at the present Green County part-time salary schedule, as necessary, to implement debris removal from private property under provisions of U.S. PL 93-288, with approval of the Green County Emergency Management Committee. (Ord. 84-1010, 10-9-84; amd. Ord. 0810, 8-9-88)

**1-13-10: PENALTY**

It shall be unlawful for any person wilfully to obstruct, hinder or delay any member of the Emergency Management Organization in the enforcement of any order, rule, regulation or plan issued pursuant to this Chapter, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this Chapter. For a violation of any of the provisions of this Chapter, such person shall forfeit not more than two hundred dollars (\$200.00), or be imprisoned in the County jail for a period not exceeding ninety (90) days, or both. (R2-8-72. amd.Ord. 0810, 8-9-88)

**1-13-11: PROHIBITED DISCHARGES**

- A. Prohibited Discharges: No person shall discharge or cause to be discharged, leaked, leached or spilled upon any public or private street, alley, public or private property, or unto the ground, surface waters, subsurface waters, or aquifers, or within the County of Green, except those areas specifically licensed for waste disposal or landfill activities and to receive such materials, any explosive, flammable or combustible solid liquid or gas, any radioactive material at or above nuclear regulatory restriction levels, etiologic agents, or any solid, liquid or gas creating a hazard, potential hazard, or public nuisance or any solid, liquid or gas having a deleterious effect on the environment.
- B. Emergency Services Response: Includes, but is not limited to: fire service, emergency medical service, law enforcement, public works and all mutual aid responders. A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall be responsible for reimbursement to the responding agencies for actual and necessary expenses incurred in carrying out their duties under this Section. Actual and necessary expenses may include but not be limited to decontamination and maintenance of the equipment specific to the incident, cost of personnel, costs incurred in the procurement and use of specialized equipment specific to the incident, specific laboratory expenses incurred in the recognition and identification of hazardous substances in the evaluation of response, decontamination, cleanup and medical

surveillance, and incurred costs in future medical surveillance of response personnel as required by the responding agencies medical advisor.

- C. Site Access: Access to any site, public or private, where a prohibited discharge is indicated or suspected will be provided to emergency management officers and staff and to all law enforcement, fire, EMS and Public Works Department personnel for the purpose of evaluating the threat to the public and monitoring containment, cleanup and restoration activities.
- D. Containment, Cleanup and Restoration: Any person in violation of the above subsection shall, upon direction of the fire or law enforcement commander having jurisdiction or the Director of Emergency Management, begin immediate actions to contain, clean up and remove to an approved repository the offending materialism and restore the site to its original condition, with the offending person being responsible for all expenses incurred. Should any person fail to engage the necessary men and equipment to comply or to complete the requirements of this subsection, the office of Emergency Management may order the required actions to be taken by public or private resources and allow the recovery of any and all costs incurred by the County of Green as action imposed by subsection B.
- E. Public Protection: Should any prohibited discharge occur that threatens the life, safety or health of the public at, near or around the site of a prohibited discharge, and that the situation is so critical that immediate steps must be taken to protect life and limb, the Director of Emergency Management or senior law enforcement or fire official on the scene of the emergency may order an emergency evacuation of the area or take other appropriate emergency steps.
- F. Enforcement: Green County law enforcement officers shall have authority to issue citations or complaints under this Section.
- G. Civil Liability: Any person in violation of any subsection of this Section shall be liable to the County or any political subdivision thereof for any expenses incurred by the County and or any political subdivision thereof or loss or damage sustained by the County and or any political subdivision thereof by reason of such violations.
- H. Penalties: Any person in violation of any subsection of this Section shall forfeit to the County of Green, upon conviction thereof, not to exceed five hundred dollars (\$500.00) plus the costs of prosecution. Each day of violation shall constitute a separate offense. (Ord. 88-0820, 8-9-88)